# STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

APPLICATION OF COLGATE OPERATING, LLC TO EXTEND TIME TO COMMENCE DRILLING OPERATIONS, EDDY COUNTY, NEW MEXICO.

CASE NO. 23878 ORDER NO. R-22431

### **HEARING EXHIBITS**

Exhibit A	Self-Affirmed Statement of Travis Macha
A-1	Application & Proposed Notice of Hearing
A-2	Order No. R-22431
Exhibit B	Self-Affirmed Statement of Dana S. Hardy
B-1	Sample Notice Letter to All Interested Parties
B-2	Chart of Notice to All Interested Parties and Certified Mail Receipts
B-3	Copies of Certified Mail Receipts and Returns
B-4	Affidavit of Publication for October 13, 2023

# STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

APPLICATION OF COLGATE OPERATING, LLC TO EXTEND TIME TO COMMENCE DRILLING OPERATIONS, EDDY COUNTY, NEW MEXICO.

CASE NO. 23878 ORDER NO. R-22431

### SELF-AFFIRMED STATEMENT OF TRAVIS MACHA

- 1. I am a Senior Landman with Permian Resources. Prior to the merger of Centennial Resource Development and Colgate Energy in September 2022, I was a Landman with Colgate Operating, LLC ("Colgate"). I am over 18 years of age, have personal knowledge of the matters addressed herein, and am competent to provide this Self-Affirmed Statement. I have previously testified before the Oil Conservation Division ("Division"), and my qualifications as an expert in petroleum land matters were accepted. I am familiar with the above-referenced application and the matters involved.
  - 2. Copies of the application and proposed hearing notice are attached as **Exhibit A-1**.
- 3. The Division entered Order No. R-22431 ("Order") in Case No. 22940 on December 5, 2022. The Order pooled all uncommitted interests in the Third Bone Spring formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the S/2 S/2 of Section 13, Township 20 South, Range 28 East, Eddy County, New Mexico ("Unit") and dedicated the Unit to the Wombat 13 Fed Com 134H well ("Well"). A copy of the Order is attached as **Exhibit A-2**.
- 4. Paragraph 19 of the Order requires Colgate to commence drilling the Well within one (1) year of the date of the Order unless Colgate obtains a time extension from the Division Director for good cause shown.

Colgate Operating, LLC Case No. 23878 Exhibit A

- 5. Good cause for an extension exists because Colgate's ability to commence drilling the Well has been impacted by federal permitting delays.
- 6. In addition, Colgate's drilling schedule has been revised due to the merger of Colgate and Centennial Resources.
- 7. Accordingly, Colgate requests that the Division extend the deadline to commence drilling the Well until December 5, 2024.
  - 8. Colgate further requests the other provisions of the Order remain in force and effect.
  - 9. Colgate is in good standing under the statewide rules and regulations.
- 10. In my opinion, the granting of Colgate's application would best serve the interests of conservation, the protection of correlative rights, and the prevention of waste.
  - 11. The attached exhibits were compiled from company business records.
- 12. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony above is true and correct and it made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date identified next to my signature below.

# STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

APPLICATION OF COLGATE OPERATING, LLC TO EXTEND TIME TO COMMENCE DRILLING OPERATIONS, EDDY COUNTY, NEW MEXICO.

**CASE NO. 23878 ORDER NO. R-22431** 

### **APPLICATION**

Colgate Operating, LLC ("Applicant") (OGRID No. 371449) files this application with the Oil Conservation Division ("Division") requesting a one-year extension of time to commence drilling the well authorized by Order No. R-22431 ("Order"). In support of its application, Applicant states the following.

- 1. The Division entered the Order in Case No. 22940 on December 5, 2022.
- 2. The Order pooled all uncommitted interests in the Third Bone Spring formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the S/2 S/2 of Section 13, Township 20 South, Range 28 East, Eddy County, New Mexico ("Unit") and dedicated the Unit to the Wombat 13 Fed Com 134H well ("Well").
  - 3. The Order designated Applicant as operator of the Unit and Well.
- 4. Paragraph 19 of the Order requires Applicant to commence drilling the Well within one (1) year of the date of the Order unless Applicant obtains a time extension from the Division Director for good cause shown.
- 5. Applicant's ability to commence drilling the Well has been impacted by federal permitting delays and delays due to the merger of Colgate and Centennial Resources.
- 6. Accordingly, Applicant requests that the Division extend the deadline to commence drilling the Well until December 5, 2024.

Colgate Operating, LLC Case No. 23878 Exhibit A-1 7. Good cause exists for the requested extension.

WHEREFORE, Applicant requests this application be set for hearing on November 2, 2023, and after notice and hearing, the Division extend the deadline to commence drilling the Well under the Order until December 5, 2024.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy

Dana S. Hardy
Jaclyn M. McLean
P.O. Box 2068
Santa Fe, NM 87504-2068
Phone: (505) 982-4554
dhardy@hinklelawfirm.com
jmclean@hinklelawfirm.com
Attorneys for Colgate Operating, LLC

Application of Colgate Operating, LLC, to Extend Time to Commence Drilling Operations, Eddy County, New Mexico. Colgate Operating, LLC ("Applicant") seeks an order extending the deadline to commence drilling the well authorized by Order No. R-22431 ("Order") until December 5, 2024. The Division entered the Order in Case No. 22940 on December 5, 2022. The Order: pooled all uncommitted interests in the Third Bone Spring formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the S/2 S/2 of Section 13, Township 20 South, Range 28 East, Eddy County, New Mexico ("Unit"); dedicated the Unit to the Wombat 13 Fed Com 134H well ("Well"); and designated Applicant as operator of the Unit and Well. The Order requires Applicant to commence drilling the Well within one year of the date of the Order. Applicant requests the Division extend the deadline to commence drilling the Well until December 5, 2024. The Well is located approximately 10.2 miles northeast of Carlsbad, New Mexico.

# STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

IN THE MATTER OF APPLICATION FOR COMPULSORY POOLING SUBMITTED BY COLGATE OPERATING, LLC

CASE NO. 22940 ORDER NO. R-22431

### **ORDER**

The Director of the New Mexico Oil Conservation Division ("OCD"), having heard this matter through a Hearing Examiner on September 15, 2022, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

### FINDINGS OF FACT

- 1. Colgate Operating, LLC ("Operator") submitted an application ("Application") to compulsory pool the uncommitted oil and gas interests within the spacing unit ("Unit") described in Exhibit A. The Unit is expected to be a standard horizontal spacing unit. 19.15.16.15(B) NMAC. Operator seeks to be designated the operator of the Unit.
- 2. Operator will dedicate the well(s) described in Exhibit A ("Well(s)") to the Unit.
- 3. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
- 4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
- 5. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

### **CONCLUSIONS OF LAW**

- 6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
- 7. Operator is the owner of an oil and gas working interest within the Unit.
- 8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
- 9. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
- 10. Operator has the right to drill the Well(s) to a common source of supply at the

Colgate Operating, LLC Case No. 23878 Exhibit A-2

- depth(s) and location(s) in the Unit described in Exhibit A.
- 11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
- 12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
- 13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
- 14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

### **ORDER**

- 15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
- 16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
- 17. Operator is designated as operator of the Unit and the Well(s).
- 18. If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location in accordance with 19.15.16.15(C) NMAC.
- 19. The Operator shall commence drilling the Well(s) within one year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well.
- 20. This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by amending this Order for good cause shown.
- 21. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.
- 22. Operator shall submit each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs").
- 23. No later than thirty (30) days after Operator submits the Estimated Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the well ("Actual Well Costs") out of production from the well. An owner of a Pooled Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the

CASE NO. 22940 ORDER NO. R-22431

Page **2** of **6** 

well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Well Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."

- 24. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
- 25. No later than sixty (60) days after the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.
- 26. The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
- 27. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to each owner of a Pooled Working Interest an itemized schedule of the reasonable charges for operating and maintaining the well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.
- 28. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.
- 29. Operator may withhold the following costs and charges from the share of production due to each owner of a Non-Consenting Pooled Working Interest: (a) the proportionate share of the Reasonable Well Costs; (b) the proportionate share

- of the Supervision and Operating Charges; and (c) the percentage of the Reasonable Well Costs specified as the charge for risk described in Exhibit A.
- 30. Operator shall distribute a proportionate share of the costs and charges withheld pursuant to paragraph 29 to each Pooled Working Interest that paid its share of the Estimated Well Costs.
- 31. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to each owner of a Non-Consenting Pooled Working Interest a schedule of the revenue attributable to a well and the Supervision and Operating Costs charged against that revenue.
- 32. Any cost or charge that is paid out of production shall be withheld only from the share due to an owner of a Pooled Working Interest. No cost or charge shall be withheld from the share due to an owner of a royalty interests. For the purpose of this Order, an unleased mineral interest shall consist of a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest.
- 33. Except as provided above, Operator shall hold the revenue attributable to a well that is not disbursed for any reason for the account of the person(s) entitled to the revenue as provided in the Oil and Gas Proceeds Payment Act, NMSA 1978, Sections 70-10-1 *et seq.*, and relinquish such revenue as provided in the Uniform Unclaimed Property Act, NMSA 1978, Sections 7-8A-1 *et seq.*
- 34. The Unit shall terminate if (a) the owners of all Pooled Working Interests reach a voluntary agreement; or (b) the well(s) drilled on the Unit are plugged and abandoned in accordance with the applicable rules. Operator shall inform OCD no later than thirty (30) days after such occurrence.
- 35. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION

ADRIENNE SANDOVAL DIRECTOR AES/jag

Date: 12/05/2022

### Exhibit A

Received by OCD: 9/33/622 2:16:55 PM
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ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS		
Case No.:	22940	
Hearing Date:	9/15/2022	
Applicant	Colgate Operating, LLC	
Designated Operator & OGRID	OGRID # 371449	
Applicant's Counsel	Hinkle Shanor LLP	
Case Title	Application of Colgate Operating, LLC for Compulsory Pooling, Eddy	
	County, New Mexico	
Entries of Appearance/Intervenors	None	
Well Family	Wombat	
Formation/Pool		
Formation Name(s) or Vertical Extent	Third Bone Spring	
Primary Product (Oil or Gas)	Oil	
Pooling this vertical extent	Third Bone Spring	
Pool Name and Pool Code	Avalon; Bone Spring, East Pool (Code 3713)	
Well Location Setback Rules	Statewide	
Spacing Unit Size	160-acre	
Spacing Unit		
Type (Horizontal/Vertical)	Horizontal	
Size (Acres)	160-acre	
Building Blocks	quarter-quarter	
Orientation	East/West	
Description: TRS/County	S/2 S/2 of Section 13, Township 20 South, Range 28 East, Eddy	
	County	
Standard Horizontal Well Spacing Unit (Y/N), If No, describe	Yes	
Other Situations		
Depth Severance: Y/N. If yes, description	Yes, there is a depth severance in the Bone Spring Formation within the unit. See Exhibit A at Paragraph 7.	
Proximity Tracts: If yes, description	No	
Proximity Defining Well: if yes, description		
Well(s)		
Name & API (if assigned), surface and bottom hole location,	Add wells as needed	
footages, completion target, orientation, completion status		
(standard or non-standard)		
Well #1	Wombat 13 Fed Com 134H (API # pending)	
	SHL: 2123' FSL & 285' FEL (Unit I), Section 13, T20S-R28E	
	BHL: 990' FSL & 10' FWL (Unit M), Section 13, T20S-R28E	
	Completion Target: Third Bone Spring (Approx. 8988' TVD)	
	Well Orientation: East to West	
Horizontal Well First and Last Take Points	Exhibit A-2	
Completion Target (Formation, TVD and MD)	Exhibit A-4	
AFE Capex and Operating Costs		
Drilling Supervision/Month \$	\$8,000.00	
Production Supervision/Month \$	\$800.00	
Justification for Supervision Costs	Exhibit A	
Requested Risk Charge	200%	
Notice of Hearing		
Proposed Notice of Hearing	Exhibit A-1	

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Proof of Published Notice of Hearing (10 days before hearing)	Exhibit C-4
Ownership Determination	
Land Ownership Schematic of Spacing Unit	Exhibit A-3
Tract List (including lease numbers & owners)	Exhibit A-3
Pooled Parties (including ownership type)	Exhibit A-3
Unlocatable Parties to be Pooled	Exhibit A-3, Exhibit A-5
Ownership Depth Severance	Exhibit A, Exhibit A-3
Joinder	
Sample Copy of Proposal Letter	Exhibit A-4
List of Interest Owners	Exhibit A-3
Chronology of Contact with Non-Joined Working Interests	Exhibit A-5
Overhead Rates In Proposal Letter	Exhibit A-4
Cost Estimate to Drill and Complete	Exhibit A-4
Cost Estimate to Equip Well	Exhibit A-4
Cost Estimate for Production Facilities	Exhibit A-4
Geology	
Summary (including special considerations)	Exhibit B
Spacing Unit Schematic	Exhibit B-1
Gunbarrel/Lateral Trajectory Schematic	Exhibit B-6
Well Orientation (with rationale)	Exhibit B
Target Formation	Exhibit B
HSU Cross Section	Exhibit B-2
Depth Severance Discussion	Exhibit B
Forms, Figures and Tables	
C-102	Exhibit A-2
Tracts	Exhibit A-3
Summary of Interests, Unit Recapitulation (Tracts)	Exhibit A-3
General Location Map (including basin)	Exhibit B-1
Well Bore Location Map	Exhibit B-2
Structure Contour Map - Subsea Depth	Exhibit B-3
Cross Section Location Map (including wells)	Exhibit B-4
Cross Section (including Landing Zone)	Exhibit B-5
Additional Information	
CERTIFICATION: I hereby certify that the information	
provided in this checklist is complete and accurate.	
Printed Name (Attorney or Party Representative):	Dana S. Hardy
Signed Name (Attorney or Party Representative):	/s/ Dana S. Hardy
Date:	9/9/2022

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# STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

APPLICATION OF COLGATE OPERATING, LLC TO EXTEND TIME TO COMMENCE DRILLING OPERATIONS, EDDY COUNTY, NEW MEXICO.

CASE NO. 23878 ORDER NO. R-22431

### SELF-AFFIRMED STATEMENT OF DANA S. HARDY

- I am attorney in fact and authorized representative of Colgate Operating, LLC, the Applicant herein.
- 2. I am familiar with the Notice Letter attached as **Exhibit B-1** and caused the Notice Letter to be sent to the parties set out in the chart attached as **Exhibit B-2**.
- 3. The above-referenced Application was provided, along with the Notice Letters, to the recipients listed in Exhibit B-2. Exhibit B-2 also provides the date each Notice Letter was sent and the date each return was received.
- 4. Copies of the certified mail green cards and white slips are attached as **Exhibit B-3** as supporting documentation for proof of mailing and the information provided on Exhibit B-2.
- 5. On October 13, 2023, I caused a notice to be published to all interested parties in the Carlsbad Current Argus. An Affidavit of Publication from the Legal Clerk of the Carlsbad Current Argus, along with a copy of the notice publication, is attached as **Exhibit B-4**.
- 6. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 5 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

/s/ *Dana S. Hardy* Dana S. Hardy October 30, 2023
Date

Colgate Operating, LLC Case No. 23878 Exhibit B



### HINKLE SHANOR LLP

#### ATTORNEYS AT LAW

P.O. BOX 2068 SANTA FE, NEW MEXICO 87504 505-982-4554 (FAX) 505-982-8623

> WRITER: Dana S. Hardy, Partner dhardy@hinklelawfirm.com

October 12, 2023

### <u>VIA CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

### TO ALL PARTIES ENTITLED TO NOTICE

Re: Case Nos. 23876 - 23881 – Applications of Colgate Operating, LLC to Amend Order Nos. R-22429, R-22430, R-22431, R-22432, R-22433, and R-22533, Eddy County, New Mexico.

To whom it may concern:

This letter is to advise you that the enclosed application was filed with the New Mexico Oil Conservation Division. The hearing will be conducted on **November 2**, **2023**, beginning at 8:15 a.m.

Hearings are currently conducted remotely. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <a href="https://www.emnrd.nm.gov/ocd/hearing-info/">https://www.emnrd.nm.gov/ocd/hearing-info/</a>. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Pursuant to Division Rule 19.15.4.13.B, a party who intends to present evidence at the hearing shall file a pre-hearing statement and serve copies on other parties, or the attorneys of parties who are represented by counsel, at least four business days in advance of a scheduled hearing, but in no event later than 5:00 p.m. Mountain Time, on the Thursday preceding the scheduled hearing date. The statement must be submitted through the OCD E-Permitting system (<a href="https://www.apps.emnrd.nm.gov/ocd/ocdpermitting/">https://www.apps.emnrd.nm.gov/ocd/ocdpermitting/</a>) or via e-mail to ocd.hearings@emnrd.nm.gov and should include: the names of the parties and their attorneys, a concise statement of the case, the names of all witnesses the party will call to testify at the hearing, the approximate time the party will need to present its case, and identification of any procedural matters that are to be resolved prior to the hearing.

Please contact Travis Macha, Senior Landman, Colgate Operating, LLC, at (432) 400-1037, if you have questions regarding these matters.

Sincerely,	Colgate Operating, LLO
/s/ Dana S. Hardy	<b>Case No. 23878</b>
Dana S. Hardy	Exhibit B-1

Enclosure

# STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

APPLICATIONS OF COLGATE OPERATING, LLC	CASE NO. 23876
TO EXTEND TIME TO COMMENCE	ORDER NO. R-22429
DRILLING OPERATIONS,	&
EDDY COUNTY, NEW MEXICO.	<b>CASE NO. 23877</b>
	<b>ORDER NO. R-22430</b>
	&
	<b>CASE NO. 23878</b>
	<b>ORDER NO. R-22431</b>
	&
	<b>CASE NO. 23879</b>
	<b>ORDER NO. R-22432</b>
	&
	<b>CASE NO. 23880</b>
	<b>ORDER NO. R-22433</b>
	&
	<b>CASE NO. 23881</b>
	<b>ORDER NO. R-22533</b>

### **NOTICE LETTER CHART**

PARTY	NOTICE LETTER SENT	RETURN RECEIVED
Ard Energy Partners, Ltd.	10/12/23	Per USPS Tracking
PO Box 101027		(Last Checked 10/26/23):
Fort Worth, TX 76185		
		10/25/23 – Individual
		picked up at post office.
Delmar Hudson Lewis Living Trust	10/12/23	10/24/23
P.O. Box 830308		
Dallas, TX 75283		
Javelina Partners	10/12/23	10/23/23
616 Texas Street		
Fort Worth, TX 76102		
Jennings Production Co. Ltd.	10/12/23	Per USPS Tracking
6114 Tulip Ln., Suite 250		(Last Checked 10/26/23):
Dallas, TX 75230		
		10/25/23 – Item in transit
		to the destination.
Jennings Production Co. Ltd.	10/12/23	Per USPS Tracking
P.O. Box 670326		(Last Checked 10/26/23):
Dallas, TX 75367		
		10/21/23 – Delivery
		attempted.
Josephine T. Hudson Testamentary Trust	10/12/23	10/23/23
FBO J. Terrell Ard		
PO Box 1600		
San Antonio, TX 78296		

Colgate Operating, LLC Case No. 23878 Exhibit B-2

# STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

APPLICATIONS OF COLGATE OPERATING, LLC	<b>CASE NO. 23876</b>
TO EXTEND TIME TO COMMENCE	<b>ORDER NO. R-22429</b>
DRILLING OPERATIONS,	&
EDDY COUNTY, NEW MEXICO.	<b>CASE NO. 23877</b>
, and the second	<b>ORDER NO. R-22430</b>
	&
	<b>CASE NO. 23878</b>
	<b>ORDER NO. R-22431</b>
	&
	<b>CASE NO. 23879</b>
	<b>ORDER NO. R-22432</b>
	&
	<b>CASE NO. 23880</b>
	<b>ORDER NO. R-22433</b>
	&
	<b>CASE NO. 23881</b>
	<b>ORDER NO. R-22533</b>

### **NOTICE LETTER CHART**

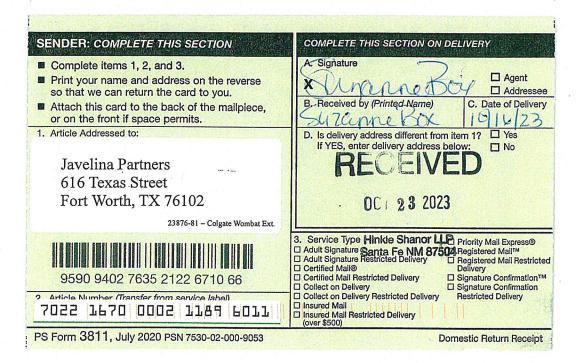
LLJ Ventures	10/12/23	10/19/23
P.O. Box 3188		
Roswell, NM 88202		
Lindy's Living Trust	10/12/23	Per USPS Tracking
215 West Bandera Rd, Ste 114-620		(Last Checked 10/26/23):
Boerne, TX 78006		
		10/18/23 – Item in transit
		to the next facility.
Thunderbolt Petroleum	10/12/23	Per USPS Tracking
PO Box 10523		(Last Checked 10/26/23):
Midland, TX 79711		
		10/23/23 – Delivered to
		front desk, reception
		area, or mail room.
Zorro Partners, Ltd.	10/12/23	10/23/23
616 Texas Street		
Fort Worth, TX 76102		

Received by OCD: 10/30/2023 9:10:00 AM

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature  X
Delmar Hudson Lewis Living Trust P.O. Box 830308 Dallas, TX 75283	D. Is delivery address different from Item 1? If Yes, enter delivery address below: RECEIVED  OCT 2 4 2023
9590 9402 7635 2122 6711 03  2 Article Number (Transfer from service label) 7022 1670 0002 1189 5960	3. Service Type Hinkle Shanor LLE Priority Mail Express®  □ Adult Signature Santa Fe NM 875@A Registered Mail™ □ Adult Signature Restricted Delivery □ Certified Mail® □ Certified Mail® □ Certified Mail Restricted Delivery □ Collect on Delivery □ Collect on Delivery Restricted Delivery □ Insured Mail Restricted Delivery □ Insured Mail Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053	(over \$500)  Domestic Return Receipt

Colgate Operating, LLC Case No. 23878 Exhibit B-3

#### U.S. Postal Service™ **CERTIFIED MAIL® RECEIPT** 6011 Domestic Mail Only Certified Mail Fee 口口 김 Extra Services & Fees (check box, add fee as app Return Receipt (hardcopy) Return Receipt (electronic) Postmark Certified Mail Restricted Delivery Here Adult Signature Required Adult Signature Restricted Delivery \$ 7 Postage <u>'</u> Total Postage and Fees 7052 Javelina Partners 616 Texas Street Fort Worth, TX 76102 23876-81 - Colgate Wombat Ext.



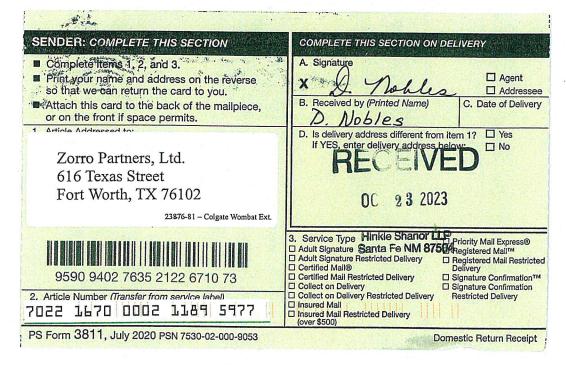


***************************************	W. C.
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature  X. Agent  Addressee  B. Received by (Printed Name)  C. Date of Delivery  U ZoZ3
1. Article Addressed to:  Josephine T. Hudson Testamentary Trust FBO J. Terrell Ard PO Box 1600 San Antonio, TX 78296  23876-81 - Colgate Wombat Ext.	D. Is delivery address different from item 1? Ses Pryes, enter delivery address below: No RECEIVED  OCT 23 2023
9590 9402 7635 2122 6710 28  2 Article Number (Transfer from service label) 7022 1670 0002 1188 7736	3. Service Type Hinkle Shanor LL Priority Mail Express® Adult Signature Santa Fe MM 8760 Registered Mail™ Feegistered Mail Restricted Certified Mail® Certified Mail® Certified Mail Restricted Delivery Signature Confirmation™ Signature Confirmation™ Signature Confirmation™ Restricted Delivery Insured Mail Restricted Delivery (over \$500)
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A Signature  X
1. Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
LLJ Ventures P.O. Box 3188 Roswell, NM 88202 23876-81 - Colgate Wombat Ext.	RECEIVED
9590 9402 7635 2122 6710 11	3. Service Type  □ Adult Signature □ Adult Signature Reside Shaper L Registered Mail™ □ Adult Signature Reside Shaper L Registered Mail Restricted □ Certified Mail Restricted Delivery □ Certified Mail Restricted Delivery □ Collect on Delivery □ Signature Confirmation
2. Article Number (Transfer from service label) 7022 1670 0002 1188 7729	☐ Collect on Delivery Restricted Delivery Restricted Delivery ☐ Insured Mail Restricted Delivery (over \$500)
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt

#### U.S. Postal Service™ **CERTIFIED MAIL® RECEIPT** 5977 Domestic Mail Only For delivery information, visit our web Certified Mail Fee 中 Extra Services & Fees (check box, add fee as appropriate) Return Receipt (electronic) Postmark Certified Mail Restricted Delivery Adult Signature Required Adult Signature Restricted Delivery \$ 1670 Total Postage and Fees П 702 Zorro Partners, Ltd. 616 Texas Street Fort Worth, TX 76102 23876-81 - Colgate Wombat Ext.





# **USPS Tracking®**

FAQs >

Remove X

### **Tracking Number:**

### 70221670000211896035

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

### **Latest Update**

Your item was picked up at the post office at 11:47 am on October 25, 2023 in FORT WORTH, TX 76109.

### **Get More Out of USPS Tracking:**

**USPS Tracking Plus®** 

### **Delivered**

### Delivered, Individual Picked Up at Post Office

FORT WORTH, TX 76109 October 25, 2023, 11:47 am

### Reminder to pick up your item before October 30, 2023

FORT WORTH, TX 76185 October 21, 2023

#### **Available for Pickup**

TRINITY RIVER
4450 OAK PARK LN
FORT WORTH TX 76109-9998
M-F 0630-1800; SAT 0730-1430
October 16, 2023, 11:55 am

### In Transit to Next Facility

October 15, 2023

### **Departed USPS Regional Facility**

FORT WORTH TX DISTRIBUTION CENTER October 14, 2023, 11:25 pm

Feedbac

### **Arrived at USPS Regional Facility**

FORT WORTH TX DISTRIBUTION CENTER October 14, 2023, 8:29 am

### **Departed USPS Facility**

ALBUQUERQUE, NM 87101 October 13, 2023, 7:43 am

### **Arrived at USPS Facility**

ALBUQUERQUE, NM 87101 October 12, 2023, 10:53 pm

**Hide Tracking History** 

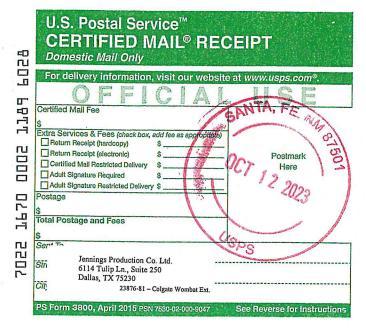
What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates	~
USPS Tracking Plus®	~
Product Information	~
See Less ^	
Track Another Package	
Enter tracking or barcode numbers	

## **Need More Help?**

Contact USPS Tracking support for further assistance.

**FAQs** 



# **USPS Tracking**<sup>®</sup>

FAQs >

Remove X

### **Tracking Number:**

### 70221670000211896028

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

### **Latest Update**

Your item departed our USPS facility in DALLAS TX DISTRIBUTION CENTER on October 25, 2023 at 5:03 am. The item is currently in transit to the destination.

### **Get More Out of USPS Tracking:**

USPS Tracking Plus®

### **Moving Through Network Departed USPS Regional Facility**

DALLAS TX DISTRIBUTION CENTER October 25, 2023, 5:03 am

### **Forward Expired**

DALLAS, TX 75230 October 16, 2023, 4:24 pm

### In Transit to Next Facility

October 15, 2023

### **Arrived at USPS Regional Facility**

DALLAS TX DISTRIBUTION CENTER October 14, 2023, 4:43 pm

### **Departed USPS Facility**

ALBUQUERQUE, NM 87101 October 13, 2023, 7:43 am

**Arrived at USPS Facility** 

ALBUQUERQUE, NM 87101 October 12, 2023, 10:53 pm

**Hide Tracking History** 

What Do USPS Tra	acking Statuses	Mean? (https://www.	s://faq.usps.com/	/s/article/Where-	-is-my-package)
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Text & Email Updates	<b>~</b>
USPS Tracking Plus®	~
Product Information	~
See Less ^	
rack Another Package	
Enter tracking or barcode numbers	

## **Need More Help?**

Contact USPS Tracking support for further assistance.

**FAQ**s



## **USPS Tracking**<sup>®</sup>

FAQs >

Remove X

### **Tracking Number:**

### 70221670000211896004

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

### **Latest Update**

This is a reminder to pick up your item before October 30, 2023 or your item will be returned on October 31, 2023. Please pick up the item at the DALLAS, TX 75367 Post Office.

### **Get More Out of USPS Tracking:**

USPS Tracking Plus®

### **Delivery Attempt**

Reminder to pick up your item before October 30, 2023

DALLAS, TX 75367 October 21, 2023

### **Available for Pickup**

PRESTON ROYAL 5959 ROYAL LN STE 539 DALLAS TX 75230-9997 M-F 0830-1700; SAT 0800-1330 October 17, 2023, 9:26 am

### **Available for Pickup**

PRESTON ROYAL 5959 ROYAL LN STE 539 DALLAS TX 75230-9997 M-F 0830-1700; SAT 0800-1330 October 16, 2023, 10:57 am

### In Transit to Next Facility

October 15, 2023

### **Departed USPS Regional Facility**

DALLAS TX DISTRIBUTION CENTER October 14, 2023, 7:02 pm

### **Arrived at USPS Regional Facility**

DALLAS TX DISTRIBUTION CENTER October 14, 2023, 4:43 pm

### **Departed USPS Facility**

ALBUQUERQUE, NM 87101 October 13, 2023, 7:43 am

### **Arrived at USPS Facility**

ALBUQUERQUE, NM 87101 October 12, 2023, 10:53 pm

**Hide Tracking History** 

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates	<b>~</b>
USPS Tracking Plus®	~
Product Information	~
See Less 🔨	
Track Another Package	
Enter tracking or barcode numbers	

## **Need More Help?**

Contact USPS Tracking support for further assistance.

**FAQs** 

1189

2000

1670

7022

## U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only 5991 Certified Mail Fee \$ Extra Services & Fees (check box, add | Return Receipt (hardcopy) \$ | Return Receipt (electronic) \$ | Certified Mail Restricted Delivery \$ | Adult Signature Required \$ | Adult Signature Restricted Delivery \$ | Poetses Postage Total Postage and Fees USPS Lindy's Living Trust 215 West Bandera Rd, Ste 114-620 Boerne, TX 78006 23876-81 - Colgate Wombat Ext. PS Form 3800, April 2015 PSN 7530-02-000-9047

# **USPS Tracking®**

FAQs >

Remove X

### **Tracking Number:**

### 70221670000211895991

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

### **Latest Update**

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

### Get More Out of USPS Tracking:

USPS Tracking Plus®

**Delivered** 

**Out for Delivery** 

**Preparing for Delivery** 

### **Moving Through Network**

In Transit to Next Facility

October 18, 2023

### **Departed USPS Regional Facility**

SAN ANTONIO TX DISTRIBUTION CENTER October 14, 2023, 7:20 pm

### **Arrived at USPS Regional Facility**

SAN ANTONIO TX DISTRIBUTION CENTER October 14, 2023, 10:45 am

### **Departed USPS Facility**

ALBUQUERQUE, NM 87101 October 13, 2023, 7:43 am Arrived at USPS Facility
ALBUQUERQUE, NM 87101
October 12, 2023, 10:53 pm

Hide Tracking History

What Do USPS Tracking Statuses	Mean? (https://faq.usps	s.com/s/article/Where-is-m	y-package)
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Text & Email Updates	~
USPS Tracking Plus®	~
Product Information	~
See Less ^	
Track Another Package	
Enter tracking or barcode numbers	

## **Need More Help?**

Contact USPS Tracking support for further assistance.

**FAQs** 



# **USPS Tracking®**

FAQs >

Remove X

### **Tracking Number:**

### 70221670000211895984

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

### **Latest Update**

Your item was delivered to the front desk, reception area, or mail room at 1:41 pm on October 23, 2023 in MIDLAND, TX 79701.

### **Get More Out of USPS Tracking:**

USPS Tracking Plus®

### **Delivered**

Delivered, Front Desk/Reception/Mail Room

MIDLAND, TX 79701 October 23, 2023, 1:41 pm

### Reminder to pick up your item before October 31, 2023

MIDLAND, TX 79702 October 22, 2023

### **Available for Pickup**

DOWNTOWN MIDLAND 100 E WALL ST MIDLAND TX 79701-9998 M-F 0830-1700 October 17, 2023, 11:07 am

#### **Arrived at Post Office**

MIDLAND, TX 79701 October 17, 2023, 10:51 am

### In Transit to Next Facility

Feedbac

October 16, 2023

### **Arrived at USPS Regional Facility**

MIDLAND TX DISTRIBUTION CENTER October 14, 2023, 8:27 pm

### **Departed USPS Facility**

ALBUQUERQUE, NM 87101 October 13, 2023, 7:43 am

### **Arrived at USPS Facility**

ALBUQUERQUE, NM 87101 October 12, 2023, 10:53 pm

**Hide Tracking History** 

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates	<b>~</b>
USPS Tracking Plus®	~
Product Information	~
See Less ^	
Track Another Package	
Enter tracking or barcode numbers	

## **Need More Help?**

Contact USPS Tracking support for further assistance.

**FAQs** 

## Carlsbad Current Argus.

# Affidavit of Publication Ad # 0005843063 This is not an invoice

HINKLE SHANOR, LLP POBOX 2068

SANTA FE, NM 87504

I, a legal clerk of the Carlsbad Current Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof in editions dated as follows:

10/13/2023

This is to notify all interested parties, including Javelina Partners; Josephine T. Hudson Testamentary Trust, FBO J. Terrell Ard; Jennings Production Co. Ltd.; Lindy's Living Trust; Delmar Hudson Lewis Living Trust; Ard Energy Partners, Ltd.; Zorro Partners, Ltd.; LLJ Ventures; and their successors and assigns, that the New Mexico Oil Conservation Division will conduct a hearing on an application submitted by Colgate Operating, LLC (Case No. 23878). The hearing will be conducted remotely on November 2, 2023, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website for that date: https://www.emnrd.nm.gov/ocd/hearing-info/. Colgate Operating, LLC ("Applicant") seeks an order extending the deadline to commence drilling the well authorized by Order No. R-22431 ("Order") until December 5, 2024. The Division entered the Order in Case No. 22940 on December 5, 2022. The Order: pooled all uncommitted interests in the Third Bone Spring formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the S/2 S/2 of Section 13, Township 20 South, Range 28 East, Eddy County, New Mexico ("Unit"); dedicated the Unit to the Wombat 13 Fed Com 134H well ("Well"); and designated Applicant as operator of the Unit and Well. The Order requires Applicant to commence drilling the Well within one year of the date of the Order. Applicant requests the Division extend the deadline to commence drilling the Well until December 5, 2024. The Well is located approximately 10.2 miles northeast of Carlsbad, New Mexico.

Legal Clerk

Subscribed and sworn before me this October 13,

2023

State of WI, County of Brown NOTARY PUBLIC

.....

My commission expires

KATHLEEN ALLEN Notary Public State of Wisconsin

Ad # 0005843063 PO #: # of Affidavits1

This is not an invoice

Colgate Operating, LLC Case No. 23878 Exhibit B-4